

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RICHARD BUSH,)	
)	
Petitioner,)	Criminal Action No. 12-92
)	
v.)	Judge Cathy Bissoon
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER

To the extent that Defendant’s Motion (Doc. 646) for reduction of sentence—based on COVID-19 related health concerns—is not moot, it is denied.

Assuming Defendant has exhausted administrative remedies, the Court acknowledges that Defendant’s health-conditions, *id.* at 7, are not entirely insignificant. Nevertheless, under 18 U.S.C. § 3553, the Court is required to balance these factors with the ones resulting in his sentence.

Defendant currently is serving a 300-month sentence for conspiring to distribute 1kg or more of heroin; for possessing, with intent to distribute, 100 grams or more of heroin; for possessing a firearm in furtherance of a drug trafficking crime; for being a convicted felon in possession of a firearm; and for possessing an unregistered firearm. In imposing sentence, the Court considered the serious nature of his offenses, and the needs for just punishment, public protection, deterrence and rehabilitation. Those considerations remain salient, and they are not outweighed by the risks associated with Defendant remaining incarcerated.

Therefore, consistent with the above, Defendant’s Motion (**Doc. 646**) for reduction of sentence is **DENIED**.

IT IS SO ORDERED.

May 15, 2023

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All Counsel of Record